

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14189 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- KHAGARIA District- Khagaria

Guddu Kumar @ Guddu Sah S/O Vindeshwari Sah R/V- Nayabazar, Ward
No. 17, P.S.- Maheshkhunt, District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Tiwary

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 21-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code.

3. Prosecution case in short, is that, the informant got information that a dead body has been seen near Bahiyar at Gandak river in a hut and then informant with other police officials reached at that place and he saw in the hut of Jagdish Yadav, a dead body was lying and no one had identified the body of the deceased. Thereafter, this case has been lodged against unknown persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The



petitioner is not named in FIR rather his name came into light in this case on the basis of suspicion raised by the brother of the deceased. It is further submitted that neither any eye witness of this case nor any consistent evidence has come against the petitioner to implicate him in this alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he has voluntarily surrendered before the learned CJM on 05.08.2022 and since then he is languishing in judicial custody.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khagaria (Muffasil) P.S. Case No. 331 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Khagaria.

(Sunil Kumar Panwar, J)

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